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November 22, 2000

VIA HAND DELIVERY

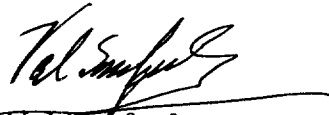
Mr. David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37201

Re: *Complaint by AT&T Regarding the Delivery of Caller Name  
Services by BellSouth Telecommunications, Inc.*  
Docket No. 00-00971

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of the Brief of AT&T Communications of the South Central States, Inc. as to Threshold Issues. Copies are being served on counsel for all known interested parties.

Yours very truly,

  
Val Sanford

VS/ghc  
Enclosures

cc: Counsel of Record  
James P. Lamoureux, Esq.  
Garry Sharp

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

In Re:        *Complaint by AT&T Regarding the Delivery of Caller Name Services  
                 By BellSouth Telecommunications, Inc.*

Docket No: 00-00971

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**BRIEF OF AT&T AS TO THRESHOLD ISSUES**

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AT&T files this brief with respect to the two "threshold issues" as directed by the Pre-Hearing Officer.

1.    **Is BellSouth legally obligated to provide CLECs with the elements necessary to deliver caller name services?**

Yes.

T.C.A. §65-4-124(a) provides:

All telecommunications services providers shall provide non-discriminatory interconnection to their public networks under reasonable terms and conditions; and all telecommunications services providers shall, to the extent that it is technically and financially feasible, be provided desired features, functions and services promptly, and on an unbundled and non-discriminatory basis from all other telecommunications services providers.

There are two aspects to that provision. The first clause imposes a general duty on all telecommunications service providers to provide non-discriminatory interconnection to their public networks. The second clause imposes a specific duty that is controlling with respect to the issues in this matter, i.e., a duty to provide "desired features, functions and services, promptly, on an unbundled and non-

discriminatory basis,” limited only by the phrase “technically and financially feasible.” There can be no question but that caller name services are “desired feature, functions and services” that must be provided “promptly.” The position of AT&T’s customer with respect to those services which prompted the initiation of this proceeding demonstrates that fact. The statute imposes a duty on BellSouth to deliver caller name services promptly. The burden would be on BellSouth to show that it is not technically and financially feasible to meet that duty.

The provision of caller name services must be non-discriminatory. Not only must it be non-discriminatory between or among different interconnecting telecommunications service providers, it must also be non-discriminatory between BellSouth and such providers. Thus, BellSouth cannot discriminate in favor of itself or its own services. If it provides such services to itself, it must also provide them to other providers, and do so promptly.

T.C.A. §65-4-124(b) expressly gives the TRA the power to issues orders to implement the requirements of subsection (a). The language in subsection (b) providing that “Prior to January 1, 1996” is directory and not mandatory. It is not a limitation on the TRA’s jurisdiction. The TRA continues to have the jurisdiction to enter orders to implement the duties imposed in subsection (a).

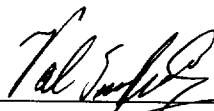
In short, BellSouth has a duty, pursuant to T.C.A. §65-4-124(a) to provide caller name services to CLECs, as it provides those services to itself, unless BellSouth can prove that the provision of such services is not technically and financially feasible. The TRA has the power to make those determinations and to issue orders to implement the duties imposed under T.C.A. §65-4-124(a).

**2. Is BellSouth Legally Obligated To Furnish CLECs With 10-Digit Global Title Translation?**

Yes.

As the foregoing analysis of T.C.A. §65-4-124(a) demonstrates, since BellSouth provides 10-Digit Global Title Translation to itself, it must provide that service to CLECs, unless BellSouth can demonstrate that it is not technically and financially feasible for it to do so.

The plain fact is that by delaying to provide that service to CLECs, BellSouth is maintaining a competitive, discriminatory advantage that is contrary to the intent and the language of T.C.A. §65-4-124(a). The TRA has the power to, and should, order BellSouth to proceed, "promptly" to provide this service to AT&T and to other CLECs.

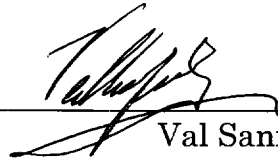
  
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**CERTIFICATE OF SERVICE**

I, Val Sanford, hereby certify that I have served a copy of the foregoing brief on counsel of record, as follows, by depositing a copy of the same in the United States Mail, postage prepaid, this 22<sup>nd</sup> day of November, 2000.



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